

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

CHAMBERS OF
JOSEPH J. FARNAN, JR.
JUDGE

LOCKBOX 27
844 KING STREET
U.S. COURTHOUSE
WILMINGTON, DELAWARE 19801

February 20, 2007

Dennis Lee Smith
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Selbyville, Delaware 19975.

Bruce C. Herron, Esq.
Akin & Herron, P.A.
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P.O. Box 25047
Wilmington, DE 19899

RE: Smith v. Baynard, et al., C.A. No. 98-639-JJF

Dear Mr. Smith and Mr. Herron:

The Court understands that Magistrate Judge Thyng has cancelled the mediation conference in this case (D.I. 121) and is no longer available, at the present time, to mediate this matter. The option of private mediation, however, remains available to the parties.

Accordingly, the Court requests the parties to confer and provide the Court with the status of this action, including whether the parties intend to pursue private mediation, or whether they wish to stay this matter, **no later than Friday, March 2, 2007.**

Sincerely,



JOSEPH J. FARNAN, JR.

JJFjr:rjp

cc: Clerk, United States District Court